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4 UNITED STATES DISTRICT COURT  
5 NORTHERN DISTRICT OF CALIFORNIA  
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7 TIMOTHY PEOPLES, JR., H63933,

8 Plaintiff,

9 v.

10 E. MAKELA, et al.,

11 Defendant(s).  
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Case No. [12-cv-02163-CRB](#) (PR)

**ORDER OF CONDITIONAL  
DISMISSAL**

13 Per order filed on September 22, 2017, Magistrate Judge Vadas reported that this case was  
14 “completely settled” after a settlement conference held on September 8, 2017. ECF No. 223 at 1.  
15 Good cause appearing therefor, this case is DISMISSED with the following condition: If any party  
16 shall certify to the court, within 120 days of this order, that the agreed consideration for the  
17 settlement has not been delivered over, the instant order shall stand vacated and this action shall be  
18 restored to the court’s calendar for further proceedings.

19 The clerk is instructed to close the file.

20 **IT IS SO ORDERED.**

21 Dated: October 18, 2017

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23 CHARLES R. BREYER  
24 United States District Judge  
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